

## NEWS FROM DELAWARE'S OFFICE OF ENVIRONMENTAL PROTECTION, 9/10/13

The biweekly E-News Update features current information on the Divisions of Air Quality, Waste and Hazardous Substances, and Water regarding public meetings, workshops, hearings, and regulatory documents available for public comment, as well as general news updates. For those of you who are receiving the E-News Update for the first time, the subscription is FREE! Please sign up at the following link under the Divisions of Air Quality and Waste and Hazardous Substances at:

<http://www.dnrec.delaware.gov/Pages/DNRECLists.aspx>.

There is no form to fill out; it's done in three clicks! Suggestions? Additions? Please call Christina Wirtz at 302-395-2500, or send an email to [Christina.Wirtz@state.de.us](mailto:Christina.Wirtz@state.de.us)

Published by DNREC Divisions of Air Quality, Waste and Hazardous Substances, and Water.

Visit us at: [www.awm.delaware.gov](http://www.awm.delaware.gov).

### **SECRETARY'S ORDERS**

The Secretary of the Department of Natural Resources and Environmental Control (DNREC) signed Secretary's Order No. 2013-A-0031 revising 7 DE Admin Code 1125 Requirements for Preconstruction Review. The amendment will improve the ability of existing Delaware stationary sources and new sources to acquire required emissions offsets. **The amendment is effective September 11, 2013.** The revision, Secretary's Order, and the Department's public hearing materials are available for public inspection at the Department of Natural Resources and Environmental Control's offices at the Blue Hen Corporate Center, 655 S. Bay Road Suite 5N, Dover and at 715 Grantham Lane, New Castle. This information can also be obtained from the Department's regulatory website

<http://www.dnrec.delaware.gov/Air/Pages/Reg1125Offsets.aspx> The information will also be available in the September 1, 2013 edition of the Delaware Register of Regulations, available online at

<http://regulations.delaware.gov/services/register.shtml> For additional information please contact David Fees in Dover at (302) 739-9402, or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2019&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

The Secretary of the Department of Natural Resources and Environmental Control has signed the following Secretary's Orders amending 7 DE Admin. Code 1138 – EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES. These Orders amended Sections 6 and 10 of 7 DE Admin. Code 1138. Secretary's Order No. 2013-A-0028 approves the amendment of Section 6. This amendment incorporates changes that the EPA made on September 19, 2012 under 40 CFR Part 63 Subpart N. The EPA changes followed their completion of residual risk and technology development reviews of emissions from chromium electroplating and anodizing facilities. This amendment provides improved protection for Delaware citizens against the potential adverse health effects linked to hexavalent chromium. The effective date of Section 6 amendment is **September 11**. Secretary's Order No. 2013-A-0029 approves the amendment of Section 10. This amendment incorporates changes that the EPA made on September 19, 2011 under 40 CFR Part 63 Subpart WWWW to address issues and concerns raised by the regulated community following Subpart WWWW's original promulgation in July 2008. Section 10 is applicable to new and existing area source plating and polishing facilities. The purpose of Section 10 is to provide protection for Delaware citizens against the potential adverse health effects linked to cadmium, chromium, lead, manganese, and nickel. The effective date of Section 10 is **September 11**. Final Sections 6 and 10, the two Secretary's Orders, and the Department's public hearing materials are available for public inspection at the Department of Natural Resources and Environmental Control's offices at the Blue Hen Corporate Center, 655 S. Bay Road, Suite 5N, Dover and at 715 Grantham Lane, New Castle. This information can also be obtained from the Department's regulatory websites: <http://www.dnrec.delaware.gov/Air/Pages/Section6RTR.aspx> (Section 6) and <http://www.dnrec.delaware.gov/Air/Pages/AmendSection10.aspx> (Section 10). For additional information, please contact Jim Snead, in New Castle, at (302) 323-4542 or at [james.snead@state.de.us](mailto:james.snead@state.de.us), or

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2018&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **UPCOMING AIR, WASTE, & WATER-RELATED HEARINGS, MEETINGS, & EVENTS**

**7 DE ADMIN. CODE 1140, LOW EMISSION VEHICLE PROGRAM** - The purpose of this action is to 1) remove the requirements that provide for prospective incorporation of revisions made by California, and 2) adopt by reference the applicable sections within Title 13 of the California Code of Regulations that comprise California's Low Emission Vehicle (LEV) III standard and the Greenhouse Gas (GHG) standard, also known as the Advanced Clean Cars Program for model years 2015 to 2025. The hearing will be held **September 23**, starting at 6:00 p.m., at the Richardson Robbins Building, 89 Kings Highway, Dover, DE 19901. For more information, please contact Deanna Cuccinello, Division of Air Quality, 655 South Bay Road Suite 5N, Dover, DE 19901, (302) 739-9402, or visit: <http://egov.delaware.gov/pmc/Event/Details/21521>

**7 DE ADMIN. CODE 1147– CARBON DIOXIDE (CO2) BUDGET TRADING PROGRAM (i.e., the RGGI program)** - Participating States of the Regional Greenhouse Gas Initiative (RGGI) conducted a program review process that lead to amendments to the Model Rule. The amendments included a change in the size and structure of the CO2 allowance cap as well as other program modifications. The public hearing on this proposed amendment will be held **September 25**, beginning at 6:00 p.m. at Kent County Administrative Complex, Room 220, 555 S. Bay Road, Dover. This hearing will held immediately following the public hearing that began at 6:00 p.m. on a proposed revision to the State Implementation Plan ("SIP") for the Inspection and Maintenance Program. For additional information, please contact Babatunde Asere, Division of Air Quality, 655 South Bay Road Suite 5N, Dover, DE 19901, (302) 739-9402, or visit: <http://egov.delaware.gov/pmc/Event/Details/21533>

**PROPOSED REVISION TO THE STATE IMPLEMENTATION PLAN ("SIP") FOR THE INSPECTION AND MAINTENANCE PROGRAM** - The purpose of the SIP revision is to change the way the Department monitors compliance of Air Regulation 1131 by Delaware registered vehicles. The public hearing will be held **September 25**, beginning at 6:00 p.m. at the Kent County Administrative Complex, Room 220, 555 Bay Rd, Dover, DE. Immediately following this hearing, a public hearing will be held on a proposed amendment to 7 DE Admin. Code 1147– CARBON DIOXIDE (CO2) BUDGET TRADING PROGRAM (i.e., the RGGI program). For more information, please contact Phil Wheeler, Division of Air Quality, 655 South Bay Road Suite 5N, Dover, DE 19901, (302) 739-9402, or visit: <http://egov.delaware.gov/pmc/Event/Details/21531>

## **DOCUMENTS AVAILABLE FOR PUBLIC COMMENT OR APPEAL**

**AIR QUALITY PERMITTING PROGRAM** – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the "draft/proposed" permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the "draft/proposed" permit, may be inspected at the offices of the Division of Air Quality, 655 S. Bay Road, Dover and 715 Grantham Lane, New Castle. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, 655 S. Bay Road, Suite 5 N, Dover, DE 19901. To submit comments, for additional information, or for an appointment to inspect the application, please contact Nicole Hill or Penny Gentry at (302) 739-9402.

### **TITLE V PERMIT RENEWAL APPLICATIONS:**

Perdue Foods LLC has submitted an application for a permit amendment, pursuant to 7 DE Admin. Code 1102, Section 2.1, 11.2.9, and 12.3, for the facility located at 255 N. Rehoboth Boulevard, Milford, Delaware. Perdue Foods LLC requests permit modifications to fuel usage limits to support the production of

organic chickens. A public hearing concerning the permitting action will not be held unless the Secretary of the DNREC receives a request for such hearing by **Sept. 10**. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1998&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

PS-5 LLC has submitted an application, pursuant to 7 DE Admin. Code 1102, Section 2.1, 11.2.9, and 12.3 for operations at 1200 North French Street, Wilmington, Delaware. PS-5 LLC requests an operational limitation of 208 hours for each of the two emergency generators located at the site. These limits are necessary to restrict PS-5 LLC's potential to emit air pollutants, and the limit will be enforceable by the EPA and the state. A public hearing concerning the permitting action will not be held unless the Secretary of DNREC receives a request for such hearing by **Sept. 10**. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1997&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Diamond Materials has submitted an application, pursuant to 7 DE Admin. Code 1102, Section 2.1, 11.2.9, and 12.3 for a permit amendment to allow up to 6% asphalt shingles in their mix at 924 South Heald Street, Wilmington, Delaware. A public hearing concerning the permitting action will not be held unless the Secretary of the DNREC receives a request for such hearing by **Sept. 10**. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1996&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **FEDERALLY ENFORCEABLE 7 DE ADMIN. CODE 1102 APPLICATIONS**

Mountaire Farms of Delaware, Inc. having a facility at 29106 John J. Williams Highway, Route 24 East, Millsboro, Delaware, has requested a federally enforceable 7 DE Admin. Code 1102 amendment for two thermal oxidizers and four scrubbers for a Resource Recovery plant that produce finished fats, feed grade meal, and pet food meal. A public hearing on the application will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application by **Sept. 10**. For more information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=1999&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

#### **7 DE ADMIN. CODE 1102 NATURAL MINOR PERMIT APPLICATIONS**

Diamond Materials, LLC, requests a permit amendment to add a location to their permit for operation of their 300 tons per hour portable crusher, impactor, and screener at Indian River Inlet, Delaware Rt. 1, Bethany Beach. There will be no change to their permitted emission limits. By Permit, APC-2008/0087-O. A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application by **September 16**. For more information,

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2027&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists>

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2015&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Croda, Inc., requests a permit to construct catalytic converters on their two 1.1 MW landfill gas generators at their 715 Cherry Lane, New Castle, Delaware facility. By Permit: APC-2012/0128 and 0129 (Amendment 2) emissions will not exceed 7.4 tpy of NOX, 23.65 tpy of CO, 1.48 tpy of NMHC, 0.45 tpy of PM2.5, 2.3 tpy of SO2, and 9425.8 tpy of CO2. The application for this permit may be reviewed at the offices of the Division of Air Quality, Blue Hen Corporate Center, 655 S. Bay Road, Suite 5 N, Dover, Delaware or 715 Grantham Lane, New Castle, Delaware. For additional information or for an appointment to review the application, please contact Nicole Hill at (302) 739 9402. A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 15 days from the date of this notice, ending **September 19**. For more information, visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2015&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

NRG Energy Center Dover LLC, requests an operation permit for a Clever Brooks Model CBRLE200-800 32.1 mmBTU\hr natural gas fired boiler at their 1280 West North Street, Dover, Kent County facility. By Permit# APC-2014/0012 actual emissions will not exceed 4.76 tons of carbon monoxide, 4.64 tons of nitrogen oxides, 0.12 tons of sulfur dioxide, 0.64 tons of volatile organic compounds, and 0.88 tons of particulate matter. A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that by **September 19**. For more information, visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2025&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Christiana Care Health Services, Inc. – Christiana Hospital having a facility at 4755 Ogletown Stanton Road, Newark, Delaware, has submitted a request for permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for operating Permit: AQM-003/00080 Renewal (R3). Based on the data and certifications contained in the application, the Division of Air Quality concludes that the applicant meets all applicable requirements promulgated by the Environmental Protection Agency (EPA) and the Department of Natural Resources and Environmental Control (DNREC). Therefore a “draft/proposed” permit renewal has been prepared. This “draft/proposed” permit renewal deletes two ethylene oxide sterilizers which were removed from the facility, modifies the priority of fuels fired in the boilers and incorporates regulatory updates since the last permit renewal. A public hearing concerning the permitting action will not be held unless the Secretary of the Department of Natural Resources and Environmental Control receives a request for such hearing by **October 1**. For more information, visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2026&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

**WASTE TRANSPORTER PERMITS PENDING** – The Solid and Hazardous Waste Management Section (SHWMS) hereby gives notice that a permit application has been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware. The applications may be inspected by appointment

from 8:00am to 4:30pm, Monday through Friday, at the offices of DNREC. For additional information or an appointment to inspect the applications, please contact Kenneth F. Green, DWHS/SHWMS, 89 Kings Hwy, Dover, DE 19901, (302)739.9403. Permit applications:

Permit applications have been received from the following companies to transport regulated RCRA hazardous and/or non-hazardous solid wastes in, out of, or through the State of Delaware: A1 Services General LLC; Delaware Park/Delaware Racing Association; DRW Hauling; Franchi Demolition & Excavating Inc.; Gary P. Simpson Contracting LLC; Harjoco Construction Inc.; KBS Inc.; Shamrock Environmental Corporation; TAT Trucking, Inc.; Wiley Sanders Truck Lines, Inc. A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by **September 12**. For more information,

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2022&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

EDP, Inc., dba EDP Transport; J. L. Watts Excavating, Inc.; Jack Robinson Waste Disposal Service, Inc.; Mark IV Transportation dba Pet Poultry Products Inc.; Mert Trucking Inc.; Moran Environmental Recovery, LLC; Pine Acres, Inc. t/a Leisure Point; Town of Bethany Beach; West Central Environmental Corp. A public hearing concerning these applications will NOT be held unless the Secretary of DNREC, in care of Karen J'Anthony, receives a meritorious request for a hearing by **September 16**. For more information,

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2028&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

**SITE INVESTIGATION AND RESTORATION SECTION** – The Division's Site Investigation and Restoration Section (SIRS) is responsible for the identification, evaluation and remediation of sites in Delaware that have had past releases of hazardous substances. The Section manages the contaminated sites under three major programs in accordance with the Hazardous Substance Cleanup Act (HSCA). The three programs are the Brownfields Development Program, the Voluntary Cleanup Program (VCP) and the HSCA Enforcement Program (for sites requiring enforcement action).

The Brownfields Development Program encourages the cleanup and redevelopment of vacant, abandoned or underutilized properties, which may be contaminated. A party seeking to develop such a property negotiates with SIRS for a Brownfields Development Agreement (BDA) to perform an investigation and, if necessary, a remedial action or remedy, for the purpose of addressing the risks posed by past releases of hazardous substances at these sites. However, a BDA is only available to parties that are not current site owners. The Voluntary Cleanup Program (VCP) Agreement is available to site owners, who want to clean up their sites and are already liable as a potentially responsible party for the site. Proposed and final plans of remedial action are available online at: <http://www.dnrec.delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx> under "Announcements." For site-specific information, please see DNREC's Environmental Navigator at <http://www.nav.dnrec.delaware.gov/DEN3>

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with Williams Holding Company, LLC regarding the 600 N. DuPont Highway Site (DE 1539) located at 600 N. DuPont Highway in New Castle, Delaware. Identified by New Castle County as tax parcel number 10-019.10-159, the 0.20 acre Site may have had a release of hazardous substances as a result of past use as a former gas station. This notice expires **September 15**. For more information, please see DNREC's navigator at <http://www.nav.dnrec.delaware.gov/DEN3>.



Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS's web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Morgan Price or Robert Newsome at (302) 395-2600, or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2017&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

The Department of Natural Resources and Environmental Control has adopted a plan regarding the clean-up of Operable Unit 1B (OU-1B) of the Former Sardo and Sons Warehouse Site OU-1B located in Wilmington. The remedy consists of capping the site with clean fill or impervious material such as buildings, asphalt, or concrete, and development of a Contaminated Material Management Plan, Long-Term Stewardship Plan and an Environmental Covenant for the site. The Site is currently owned by Shipyard Dining, LLC, and will be the future location of a new restaurant. The public may appeal this Final Plan until **September 15**. For additional information, please contact Larry Jones, Project Manager, or Robert Newsome, Public Information Officer, at (302) 395-2600, or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2016&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) negotiated a BDA with Allen Harim Foods, LLC for the 29984 Pinnacle Way Property (Site) located at 29984 Pinnacle Way in Dagsboro. Identified by Sussex County as tax parcel numbers 233-5.00-14.00, 233-5.00-15.00 and 233-5.00-16.00, the approximate 107-acre Site may have had a release of hazardous substances as a result of past use as a former pickle processing facility and warehouse. For more site-specific information, please see DNREC's navigator at <http://www.nav.dnrec.delaware.gov/DEN3>. DNREC invites written public comments on this BDA. The public comment period will close at the end of the business day (4:30 p.m.) on **September 16**. Written comments should be submitted to Morgan Price at DNREC-SIRS's address listed above. A copy of the BDA is available at the office of DNREC – SIRS, 391 Lukens Drive, New Castle, DE 19720 or by accessing DNREC-SIRS's superfund site files database <https://onlinedocs.dnrec.delaware.gov/docfinity>. For more information, visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2021&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with C&S Properties LLC regarding the Former Modern Equipment Rental Site located at 22 and 24 Brookside Drive in Wilmington. Identified by New Castle County as tax parcel numbers 07-039.40-010 and 07-039.40-024, the 2.34 acre Site may have had a release of hazardous substances as a result of past use as an equipment maintenance and fueling facility containing a former underground leaking storage tank. This notice expires **September 20**. For more information, please see DNREC's navigator at <http://www.nav.dnrec.delaware.gov/DEN3>. Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS's web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, Kristen Thornton or Robert Newsome at (302) 395-2600, or visit <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2029&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

**DIVISION OF WATER-SURFACE WATER DISCHARGES SECTION PERMIT APPLICATIONS** – The Division of Water hereby gives notice that the following permit applications have been received. For additional information, please contact Molly Mackil at (302) 719-9946 or visit: DNREC – Division of Water, Surface Water Discharges Section.

**SURFACE WATER DISCHARGES - NPDES** - The Department of Natural Resources and Environmental Control, Division of Water, hereby gives notice that Occidental Chemical Corporation has applied for re-issuance of its National Pollutant Discharge Elimination System permit ("NPDES" Permit No. DE 0050911 and State Number WPCC 3080E/82) to discharge treated ground water and storm water to the Delaware River (Outfall Nos. 001 and 002) and Red Lion Creek (Outfall Nos. 003, 004, 005, and 006) from their facility located at 1657 River Road, on the east side of River Road (State Highway 9), approx. 1800 feet south of where State Highway 9 crosses Red Lion Creek in New Castle County, Delaware. The facility operated as a chlor-alkalai plant producing chlorine, hydrogen, sodium hydroxide (caustic soda) and potassium hydroxide (caustic potash) via a mercury cell process until 2005. The only remaining activity is pumping and treating groundwater and storm water. Domestic sludge collected on-site is removed periodically by a local sludge hauler and disposed of in the New Castle County sanitary collection system. On the basis of a preliminary staff review and application of lawful standards and regulations, the Department proposes to re-issue the referenced permit, subject to certain effluent limitations and conditions. The proposed determinations are tentative. A public hearing on the above will NOT be held unless the Secretary of DNREC receives a request by 4:30 pm on **September 13** or if the Secretary determines that a public hearing is in the public interest. For more information, contact Anthony Hummell, Surface Water Discharges Section, 89 Kings Highway, Dover, DE 19901, or by calling at (302) 739-9946.

**DIVISION OF WATER-GROUND WATER DISCHARGES** – The Division of Water hereby gives notice that the following applications have been received. For additional information or to inspect the applications, please contact Kathleen Saunders in Ground Water Discharges, 89 Kings Highway, Dover, DE 19901; or by phone at (302) 739-9948.

Clean Delaware LLC has applied to the Ground Water Discharges Section for an amendment to their Non-Hazardous Liquid Waste Transporters Permit WH-013 to allow for the transport of brewery wastewater; septage, holding tank waste, grease trap waste and/or cooking oil waste, portable toilet waste, municipal or industrial biosolids, sludge from package treatment plants, to be disposed of as follows:

Septage and holding tank waste: The Inland Bays and/or South Coastal Regional Wastewater Treatment Facilities, Sussex County; Clean Delaware Facility, Milton; Kent County Sewer System at Pumping Station No. 1 (Smyrna) and Pumping Station No. 8 (Little Heaven), Kent County.

Grease trap waste and portable toilet waste: Kent County Sewer System at Pumping Station No. 1 (Smyrna) and Pumping Station No. 8 (Little Heaven), Kent County.

Holding tank waste from the Windstone, Shoreview Woods, Anthem and Holland Mills, and the Reserves at Lewes Landings subdivisions: The Beaver Creek Regional Wastewater Treatment Facility; The Stonewater Creek Regional Wastewater Treatment Facility; The Heron Bay Regional Wastewater Treatment Facility; The Milton Water Reclamation Facility; The Ridings of Rehoboth Wastewater Treatment Facility; The Retreat Wastewater Treatment Facility.

For stabilized biosolids generated in the treatment of wastewater in Delaware; and lime stabilized septage, holding tank waste and other minor wastewater treatment residuals treated under State Permit LTS 4002/96S and Agricultural Utilization (AGU) Permit 1202-03-S: The Milton site, located on Route 30 and 16; The Harbeson site, located on the south side of Route 9, east of Route 5; The Ellendale site, located on the south side of Route 231, east of the Sowbridge Branch, east of Ellendale.

Class B sanitary sludges generated by the following facilities, in accordance with AGU 1202-03-S: Allen Harim Foods, LLC Harbeson Plant; Perdue Georgetown Sludge; Town of Bridgeville; Town of Lewes; Town of Milton; Town of Selbyville.

Non-sanitary wastes generated by the following facilities, in accordance with AGU 1202-03-S: Dogfish Head Craft Brewery – brewery wastewater; Eastern Shore Poultry Products – food processed grease; Iron Sludge from various water treatment plants; J.G. Townsend, Inc. – vegetable processing wastewater; Perdue Farms, Georgetown – dewatered sludge cake; RAPA Scrapple, Inc. – grease by-products; Restaurant grease trap waste (contains no sanitary waste); Roos Foods, Inc. – dairy waste.

Transport of non-sanitary waste (brewery wastewater) generated by Dogfish Head Craft Brewery, to and from property owned by Dogfish Head Craft Brewery (in accordance with Dogfish Head Craft Brewery's AGU 0903-S-05).

Dogfish Head Craft Brewery Inc has applied to the Ground Water Discharges Section for an amendment to their Non-Hazardous Liquid Waste Transporters Permit to allow for the transport of Non-Hazardous Liquid Waste to be disposed of as follows: Land Application in accordance with the following approvals: AGU 0903-S-05: Payton Farm, Milton (2-35-19.00-10); Baker Farm, Milton (2-35-19.00-23.00); Burton Farm, Milton (2-35-19.00-4.00); Sequoia Farm, Milton (2-35-13.00-3.02); Spicer Farm, Milton (2-30-27.00-70.00); AGU 1202-S-03 issued to Clean Delaware, Inc. (CDI): Milton Farm site, Milton (2-35-14.00-1.00, 2-35-14.00-2.00, 2-35-14.00-3.00, 2-35-14.00-60.00); Ellendale Site (New Market), Ellendale (2-35-6.00-12.00); Harbeson Site, Harbeson (2-35-30.00-62.00); Brewery Wastewater only: Clean Delaware, Inc. in accordance with AGU 1202-S-03; Pinnacle Foods Group, at the Pinnacle Foods Industrial Wastewater Treatment Facility (Millsboro).

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by **September 16**. For more information, visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2023&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

**DIVISION OF WATER-WATER SUPPLY SECTION - WELL PERMITS** – The Division of Water hereby gives notice that the following applications have been received. For additional information or to inspect the applications, please contact Patty Murray, Water Supply Section, 89 Kings Highway, Dover, DE 19901 (302) 739-9945.

Joseph Hill needs to construct two irrigation wells. They are both proposed to be 200' deep and 8-inch in diameter. The wells are located 900' and 1300' W of Blackbird-Greenspring Rd, and North of Clark Farm Rd. The site is located about 3 miles NW of Smyrna in Kent County. The desired capacity of these wells is 900 gpm.

Del Dot needs to construct a dewatering system for 30 points that are 20 feet deep, 2-inch diameter and 6' apart. The system is for a pipe replacement. The discharge water will be sent to a stream. The site is located 6 miles west of Greenwood in Sussex County. The desired capacity of this well point system is 800 gpm. This notice expires

**September 16**. For more information,

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2024&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

**DIVISION OF WATER-WETLANDS AND SUBAQUEOUS LANDS SECTION** – The Division of Water hereby gives notice that the applications below are available for inspection or copies may be obtained by contacting: Gayle Calder, Wetlands and Subaqueous Lands Section, 89 Kings Highway, Dover – 19901, or by calling (302) 739-9943. A public hearing on the applications below will NOT be held unless the Secretary of DNREC determines that a hearing is in the public interest or if a written meritorious objection to the application is received within 20 days of the initial notice.

**Subaqueous Lands Permit and Wetlands Permit Application**

Prime Hook National Wildlife Refuge-To re-establish a pre-existing Spartina spp. marsh wetland community comprising approximately 34 acres at two sites located on the east



and west sides of Unit II, north of Prime Hook Beach Road by placement of approximately 50,000 cubic yards of clean sand fill graded over the sites to increase the site elevations to support the colonization of *Spartina alterniflora* at Prime Hook National Wildlife Refuge, 11978 Turkle Pond Road, Milton, Sussex County, DE

**Subaqueous Lands Lease Application**

Charles Tollinche-To remove an existing 5 X 40 foot pier and construct a 4 X 113 foot pier and 5 X 22 foot dock in a new location and repair by replacing 200' of wooden bulkheading with vinyl in Rehoboth Bay at 33 White Oak Rd, Rehoboth Beach, Sussex, DE

**Subaqueous Lands Permit Application**

Louis Distefano-To install a 53 linear foot stone rip-rap revetment in Roy Creek at 37631 Pine Road, Selbyville, Sussex County, DE

Watermark at North Bethany Property Owners Association-To construct an 8 by 2 foot long fixed dock, a 5 by 16 foot long gangway, an 8 by 16 foot long floating dock, and a canoe cradle attached to the floating dock in the tributary of Fresh Pond at 100 Bethany Loop, Suite 2, Watermark at North Bethany, Sussex County, Bethany Beach, DE

David Schiavone-To install 4 pilings, a boatlift, and to repair by replacing 40 linear feet of bulkhead on Roy Creek at 38835 Wilson Ave, Cape Windsor, Sussex County, Selbyville, DE

Bay Forest Club, LLC-To construct/install a 6 by 28 foot dock; a 6 by 30 foot pier; a 6 by 34 foot pier with a 3 by 25 foot finger dock and a boat lift; a 6 by 34 foot pier with two 3 by 25 foot finger docks and two boat lifts; an 8 by 35 foot pier with a 3 by 25 foot finger dock and a boat lift; two 6 X 83 foot parallel docks; a 6 by 60 foot aluminum gangway; a 10 X 60 foot floating dock with 4 canoe cradles and two freestanding guide piles; a 22.5 by 150 foot concrete log boat ramp with vinyl retaining walls; 50 linear feet of low profile rock sill with a 1.85 foot elevation; fill 6000 square feet of subaqueous lands and 788 square feet of intertidal mudflat and plant *S. alterniflora* to create tidal marsh; 2.2 by 10 foot of rip rap along 220 linear feet and maintenance dredge 1500 cubic yards to a depth of -3 feet in Collins Creek at the Bay Forest Club Lagoon, end of Bay Forest Drive, Millville, Sussex, DE. For more information,

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2020&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

## **EMPLOYEE UPDATES**

Kimberly Burris hired as Administrative Specialist II in the Water Supply Section – August 19.

Kimberly Foster hired as Management Analyst II in the Solid and Hazardous Waste Management Section – September 8.

## **CONTACT INFORMATION**

24-Hour Report and Spill Notification Line - 1-800-662-8802

Aboveground Storage Tanks - 302-395-2500

Air Quality - New Castle Office - 302-323-4542

Air Quality – Kent & Sussex – 302-739-9402

Asbestos New Castle - 302-323-4542

Asbestos Kent & Sussex - 302-739-9402

Biosolids Permits - 302-739-9946

Boiler Safety - 302-744-2735

Brownfields - 302-395-2600

Delaware Estuary Program - 302-739-9949

Division of Air Quality Director's Office - 302-739-9402

Division of Waste and Hazardous Substances Director's Office - 302-739-9400

Division of Water Director's Office - 302-739-9950  
Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands - 302-739-9943  
Emergency Prevention and Response - 302-739-9404  
Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802  
Environmental Laboratory - 302-739-9942  
Hazardous Waste - 302-739-9403  
Loans & Grants for Wastewater and Septics (Financial Assistance Branch) - 302-739-9941  
Medical Waste - 302-739-9403  
Non-Hazardous Liquid Waste Transporters - 302-739-9948  
On-site Wastewater Licensing Program - 302-739-9948  
Open Burning - 302-739-9402  
Outreach Ombudsman - 302-395-2600  
Recycling - 302-739-9403  
Septic System Permits - Large Systems (Community & I/A) Statewide - 302-739-9948  
Septic System Permits - Small Systems for Kent & New Castle Counties - 302-739-9947  
Septic System Permits - Small Systems for Sussex County & Holding Tank Compliance Program  
302-856-4561  
Site Investigation & Restoration Section (Superfund/Brownfields) - 302-395-2600  
Solid Waste - 302-739-9403  
Source Water Protection - 302-739-9945  
Stormwater Permits - 302-739-9946  
Surface Water Discharge Permits (NPDES) - 302-739-9946  
Underground Injection Control & Spray Irrigation - 302-739-9948  
Underground Storage Tanks - 302-395-2500  
Wastewater Collection, Conveyance and/or Treatment Facility Construction Permits - 302-739-9946  
Wastewater Treatment Facility Operators - 302-739-9946  
Water Allocation Permits - 302-739-9945  
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630  
Water Supply - 302-739-9945  
Well Driller's License - 302-739-9944  
Well Permits & Licensing - 302-739-9944  
Wells - 302-739-9945  
Wetlands and Subaqueous Lands Section - 302-739-9943